

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 13, 2000
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Kathy Campbell, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Absent: Kerry Eagan, Chief Administrative Officer

Others Present: Norm Agena, County Assessor
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Richard Nuernberger, County Treasurer
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 6, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Heier moved and Steinman seconded approval of the Board of Equalization minutes dated June 6, 2000. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 20 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Hudkins seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Second Baptist Church

MOTION: Steinman moved and Heier seconded approval of a motor vehicle tax exemption for Second Baptist Church. Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **DISCUSSION OF TAX EXEMPT STATUS FOR MOTOR VEHICLES FOR THE FOLLOWING:**

Tabitha Inc.

Appearing on behalf of Tabitha Inc. were Charlene Adden and Robin Pedersen.

Adden submitted documentation listing Tabitha's tax exempt vehicles and their uses (Exhibit A). She explained that the vans are used to transport residents, transport equipment and to deliver "Meals on Wheels".

Norm Agena, County Assessor, asked if Tabitha charges passengers.

Pedersen stated there is a charge to residents to cover operating costs.

In response to a question asked by Agena, Pedersen responded that the vans are used for medical appointments only.

Pedersen added that there is an additional charge if an escort is needed.

Agena asked if the vehicles are handicap vans.

Pedersen responded all of the residents are transported in handicap vans.

In response to a question asked by Campbell, Adden stated the Activity Department arranges transportation and an escort if a resident wishes to go shopping.

Madonna Rehabilitation Hospital

Appearing on behalf of Madonna Rehabilitation Hospital were Victor Witkowicz and Susan Lonn.

Lonn distributed documentation regarding vehicle usage (Exhibit B). She noted primary uses of the vehicles as follows:

- * Adult day services
- * Madonna program (medical transports)
- * Community Medical Transportation program (assisted transportation to health care services)

In response to a question asked by Steinman regarding a charge for services, Witkowicz distributed documentation regarding the following financial information (Exhibit C):

- * Transportation operating losses over the past three years
- * Funding sources
- * Trip fees/costs

Heier asked if the trip fee was based on one person in the vehicle.

Lonn stated they have two types of fees. The adult day services trip fee is similar to a school bus in that you start at one point, pick up eight to ten people and return to one point. For medical transportation the trip fee is based on one person from point a to point b.

Agena asked for clarification on the use of the vans in regards to the adult day services.

Lonn explained the primary use for adult day services vans is for individuals who remain in their homes, but attend the Madonna Adult Day Services Program which is a medical program.

She further stated that the Community Medical Transportation Program is a community wide program. Those individuals can telephone Madonna for transport to medical appointments only.

In response to a question asked by Workman, Witkowicz stated it is their intent to keep the trip fees lower than the operating costs.

Board consensus to defer action on the tax exempt status in relation to motor vehicles for Tabitha Inc. and Madonna Rehabilitation Hospital for one week.

5) **ADJOURNMENT**

By direction of the Chair, the Board of Equalization meeting was adjourned.

Bruce Medcalf
County Clerk

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Others Present: Dave Johnson, Deputy County Attorney
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- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 6, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Heier seconded approval of the minutes of the Board of Commissioners meeting dated June 6, 2000. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, June 13, 2000.

MOTION: Workman moved and Steinman seconded approval. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **PUBLIC HEARINGS:**

An application for a Class E (Beer Off Sale Only) and a Class M (Bottle Club) liquor license from MGC Inc. doing business as Crooked Creek Golf Club, located at 134th and "O" Streets, in Lancaster County, Nebraska.

The Chair opened the public hearing and asked if anyone wished to provide testimony in favor of the application.

The Clerk administered the oath to J. Michael Rierden.

J. Michael Rierden, attorney representing applicant, appeared and indicated the applicant, Marc Cruse, was the golf professional at Mahoney Golf Course for many years. He explained Mr. Cruse is very knowledgeable about the operations of a liquor license establishment and has no violations of any kind.

The Chair asked if anyone wished to provide testimony in opposition or in a neutral position.

No one appeared and the public hearing was closed.

It was noted that action would be taken on Tuesday, June 20, 2000.

4) **NEW BUSINESS:**

- A. An agreement with Great Plains Appraisal Company to provide services as referee coordinator to hear protests and act as a liaison to the Board of Equalization, beginning upon the date of execution until all protests for tax year 2000 are addressed. The County will authorize an expenditure up to \$75,000. (C-00-295)**

Tom Kubert, Great Plains Appraisal Company, appeared and stated they anticipate between 900 to 1000 protests being filed. He added there is a system in place to screen telephone calls after the referee hearing to ensure that the taxpayer did meet with a referee. Southeast Community College has been reserved with hearings beginning the week of June 25th.

MOTION: Hudkins moved and Steinman seconded approval. Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

- B. A contract with Daniel Leggiadro, Ph.D. to provide temporary psychiatric services up to and no more than 30 hours per week at the Mental Health Center beginning June 1, 2000 and ending June 30, 2001. The County will pay \$65 an hour for term of the contract. (C-00-290)**

MOTION: Workman moved and Steinman seconded approval. Hudkins, Steinman, Workman, Heier and Campbell voted aye. Motion carried.

- C. An addendum to a contract with the Nebraska Mental Health Center providing that Dr. Matthew Nesselletti provide services under the contract. (The original contract was executed on June 6, 2000.) (C-00-296)**

MOTION: Steinman moved and Workman seconded approval. Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- D. A resolution relaxing design standards in relation to Project C55-C-407(1) at the intersection of West Davey Road and Northwest 12th Street. (R-00-67)**

MOTION: Hudkins moved and Heier seconded approval of Resolution 00-67. Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

E. A resolution authorizing the installation/removal of the following traffic signs in Lancaster County: (R-00-69)

- * Installation of a "25 mile per hour" speed limit sign for westbound traffic on Wassung Drive east of Northwest 27th Street in Willard Estates
- * Removal of the "Pavement Ends" sign for eastbound traffic on Arbor Road, east of Highway 77
- * Removal of the "No Parking" signs for southbound traffic and removal of the "School Crossing" signs for northbound and southbound traffic on Breagan Road in Cheney, Nebraska

MOTION: Steinman moved and Heier seconded approval of Resolution 00-69. Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

F. A resolution in the matter of the County's last best offer regarding contract negotiations with the American Federation of State, County, and Municipal Employees (AFSCME), Local 2468. (R-00-70)

MOTION: Steinman moved and Workman seconded approval of Resolution 00-70. Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

G. Authorization of National Bank of Commerce, as Trustee, to disburse \$308,643.30 from the juvenile detention center bond proceeds to Cheever Construction for payment application number four as general contractor for the new Lancaster County Juvenile Detention Center. (M-00-48)

MOTION: Heier moved and Steinman seconded approval. Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

H. Reappointments and appointment of the following individuals to the Lincoln-Lancaster County Commission on Aging Advisory Board:

<u>Name of Individual</u>	<u>Expiration of Term</u>
Bonnie Armstrong (reappointment)	July 1, 2003
Mary Kyckelhahn (reappointment)	July 1, 2003
Barry Moore (reappointment)	July 1, 2003
Dr. Greg Kallos (new appointment) (Replacing Jim Ballas)	July 1, 2003

MOTION: Hudkins moved and Heier seconded approval. Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

I. **Appointment of Wayne Heyen to replace Tom Wicken to the Air Pollution Control Advisory Board, term to expire September 1, 2000.**

MOTION: Workman moved and Steinman seconded approval. Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

5) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. **Receive and Place on File:**

1. County Clerk's Monthly Report for May, 2000.
2. Lancaster Manor's Monthly Report.
3. Records & Information Management Monthly Report for May, 2000.

B. **A resolution approving County Board of Zoning Appeals, Appeal 112 requesting a variance of Sections 4.017(h)(i) 1 of the Lancaster Zoning Resolution for property generally located east of Northwest 126th Street on the north side of Highway 34 and West Alvo Road. (R-00-68)**

C. **An adjustment of payment because of a mathematical error, in the amount of \$168, for a right-of-way contract (C-00-154), approved April 4, 2000, between the County Engineer and Gerald Martin Mills. (C-00-294)**

D. **Rights-of-way contracts relating to road improvements between the County Engineer and the following:**

- * **Dale A. and Diane Gropp at Southwest 86th Street and Stagecoach Road; Project C. P. U-29. This is a land donation. (C-00-292)**
- * **Daryl D. Mitchell, Trustee at South 25th Street and Martell Road; Project C. P. S-265. This is a land donation. (C-00-293)**
- * **Fred T. Wenzel, in the amount of \$192.75, at North 112th Street and Adams Street; Project C. P. J-124. (C-00-291)**

MOTION: Steinman moved and Heier seconded approval of the Consent Items. Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

6) **ANNOUNCEMENTS:**

Campbell announced that Commissioner Steinman had been appointed to the Juvenile Task Force by Governor Johanns. She added that Commissioner Steinman was also elected to the Region V Governing Board's Executive Committee.

7) **EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION:**

MOTION: At 2:12 p.m. Hudkins moved and Steinman seconded to enter into Executive Session for the purpose of discussing pending litigation. Hudkins, Campbell, Steinman, Heier and Workman voted aye. Motion carried.

MOTION: At 2:23 p.m. Steinman moved and Heier seconded to exit Executive Session. Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

8) **ADJOURNMENT**

MOTION: Hudkins moved and Workman seconded adjournment of the Board of Commissioners meeting. Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

Bruce Medcalf
County Clerk